

Appl. No. 09/913,869
Atty. Docket No. 7442
Amdt. dated October 7, 2005
Reply to Office Action of June 7, 2005
Customer No. 27752

REMARKS

Claim Status

Claims 1, 10-12, 15-16, 18-26, 41-46 are pending in the present application. No additional claims fee is believed to be due.

Claims 2-9, 13-14, 17 and 27-40 are canceled without prejudice.

Claims 1, 15, 26, 43, 44 and 46 have been amended. Support for the amendments are listed below.

Claim 1 amendment support is found on page 23, lines 5 – 14.

Claim 15 amendment support is found on page 23, lines 5 – 14.

Claim 26 amendment support is found on page 63, lines 1-15.

Claim 43 amendment support is found on page 63, lines 16-29.

Claims 44 and 46 have been amended to correct dependency issues discussed in the Office Action.

It is believed these changes do not involve any introduction of new matter. Consequently, entry of these changes is believed to be in order and is respectfully requested.

The Office Action has objected to Claim 46 as being dependent upon a cancelled claim. Applicants have amended the dependence to a pending claim.

Objection Under 35 U.S.C. § 132(a)

The Office Action states that the amendment to the specification submitted does not have the certification of the document references replaced.

Applications have amended the specification back to the original language.

Rejection Under 35 USC §112, First Paragraph

The Office Action states Claim 44 is rejected under 35 U.S.C. § 112, first paragraph, as being unclear in how the composition of Claim 10 is capable of accomplishing the bleaching claimed in Claim 44.

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Applicants have amended Claim 44 to be dependent upon Claim 20, which comprises bleaching components.

Rejection Under 35 USC §112, Second Paragraph

The Office Action states that Claim 1, 10-12, 15-16, 18-26, 38 and 41-46 under 35 U.S.C. § 112, second paragraph as being indefinite, specifically with respect to component (b) and (e) of Claim 1 in view of Claim 26 and 43.

Applicants have amended Claims 26 and 43 to address the rejection under 35 U.S.C. § 112, second paragraph.

Rejection Under 35 USC §102 Over US 4,973,423 (Geke et al.)

The Office Action states that Claims 1, 10-12, 15-16, 18-19, 22-23, 42-43 and 45 are rejected under 35 U.S.C. § 102(b) as being anticipated by Geke et al. US 4,548,729 is also referenced as a "companion" patent to Geke et al.

Applicants submit that neither Geke et al. nor US 4,548,729 (assigned to a separate entity, but has similar inventors listed) discuss a capped nonionic surfactant is selected from the group of compounds, having the formula:



wherein R1 is a linear or branched C₆ to C₂₀ alkyl; a is an integer from 2 to 30; b is an integer from 0 to 30; c is an integer from 1 to 10 (butoxy moiety required), as required by the claims of the present application. Geke et al. and US 4,548,729 discuss material having only ethoxy moieties and do not discuss butoxy moieties. Since neither Geke et al. or US 4,548,729 discuss such a capped nonionic surfactant, individually and together these references fail to teach each and every element of the claimed invention of the present application. As such, Applicants request that the rejection under 35 U.S.C. § 102(b) in view of Geke et al. and US 4,548,729, be withdrawn.

Rejection Under 35 USC §103(a) Over US 4,973,423 (Geke et al.)

in view of WO 95/34633

Claims 20-21, 25, 41, 44 and 46 have been rejected under 35 USC §103(a) as being unpatentable over Geke et al in view of WO 95/34633.

Applicants note that the Office Action has indicated that Claims 24 and 38 are allowable subject matter if rewritten in independent form. Applicants have amended

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Claim 1 to incorporate Claim 38. Applicants further submit that Geke et al in view of WO 95/34633 fails to teach or suggest all of the claimed elements of the present application. As such, Applicants request that the rejection under 35 U.S.C. § 103(a) be withdrawn.

Conclusion

In light of the above remarks, it is requested that the Examiner reconsider and withdraw the rejection under 35 U.S.C. § 132(a), 112, first and second paragraphs, 102(b) and 103(a). Early and favorable action in the case is respectfully requested. Applicants' attorney invites the Examiner to discuss any questions or comments by phone at any time.

This response represents an earnest effort to place the application in proper form and to distinguish the invention as now claimed from the applied references. In view of the foregoing, reconsideration of this application, entry of the amendments presented herein, and allowance of Claims 1, 10-12, 15-16, 18-26, 41-46 is respectfully requested.

Respectfully submitted,

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By

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